



## CRIMINAL COMPLAINT

 CASE # 2020-012278  
 NOV 20 2020

 SANTA FE COUNTY  
 MAGISTRATE COURT

 SANTA FE COUNTY  
 MAGISTRATE COURT

NOV 20 2020

 SANTA FE COUNTY  
 MAGISTRATE COURT

STATE OF NEW MEXICO

SANTA FE

COUNTY ✓

SANTA FE

CITY ✓

IN THE MAGISTRATE ✓

COURT

-- VS --

 Name: ZIRPEL BRIAN  
 Address: [REDACTED]  
 City/Zip: SANTA FE NM 87507  
 D.O.B.: 1992  
 S.S.N.: [REDACTED]  
 Height: 5' 05" Weight: 125 lbs  
 Hair: Brown - BRO  
 Eyes: Brown - BRO

 Arrest Date: 11/19/2020  
 Driver Lic.#: [REDACTED]  
 Citation.#: [REDACTED]  
 Arrest #: 2020-012278  
 Docket #: M49VF202000121  
 Date Filed: 11/19/2020

 The undersigned, under penalty of perjury, complains and says that on or about 11/19/2020 in the County/City of SANTA FE, SANTA FE State of New Mexico, the above named Defendant(s) did:

 Contrary to Section 30-03-16(C) NMSA 1978.  
 Charge Code: 2112

 CRIME: AGGRAVATED BATTERY AGAINST A HOUSEHOLD MEMBER (GREAT BODILY HARM)

(Common name of Offense or Offenses)

 Contrary to Section 30-04-03 NMSA 1978.  
 Charge Code: 0127

 CRIME: FALSE IMPRISONMENT

(Common name of Offense or Offenses)

COUNT: I AGGRAVATED BATTERY HOUSE HOLD MEMBER

THE ABOVE-NAMED DEFENDANT TOUCHED OR APPLIED FORCE TO (P [REDACTED] M [REDACTED]), A HOUSEHOLD MEMBER OF THE DEFENDANT, INTENDING TO INJURE THAT PERSON OR ANOTHER. (P [REDACTED] M [REDACTED]) OR [ACTED IN A WAY THAT WOULD LIKELY RESULT IN DEATH OR GREAT BODILY HARM TO (PAULINE MARIE MADRID)], A THIRD DEGREE FELONY, CONTRARY TO NMSA 1978, SECTION 30-3-16(C) (2018).

COUNT: II FALSE IMPRISONMENT

THE ABOVE-NAMED DEFENDANT DID RESTRAIN OR CONFINED (P [REDACTED] M [REDACTED]) AGAINST HIS/HER WILL AND WITH THE KNOWLEDGE THAT HE/SHE HAD NO AUTHORITY TO DO SO, A FOURTH DEGREE FELONY, CONTRARY TO NMSA 1978, SECTION 30-4-3 (1963).

## STATEMENT OF PROBABLE CAUSE

ON THURSDAY, NOVEMBER 19, 2020 AT APPROXIMATELY 1435 HRS, I WAS DISPATCHED TO 1489 ZEPOL ROAD APARTMENT NUMBER 203 IN REFERENCE TO A DOMESTIC DISTURBANCE. DISPATCH INFORMED ME A MALE SUBJECT WAS CHOKING A FEMALE INSIDE THE APARTMENT. DISPATCH INFORMED ME ANOTHER MALE SUBJECT SHOWED UP AND BEGAN FIGHTING WITH THE MALE WHO WAS CHOKING THE FEMALE. DISPATCH INFORMED ME BOTH MALES LEFT THE AREA AND THE FEMALE WAS IN THE APARTMENT.

UPON ARRIVAL, I MADE CONTACT WITH A FEMALE WHO WAS IDENTIFIED AS P [REDACTED] M [REDACTED] IN APARTMENT 203. MS. M [REDACTED] WAS CRYING AND HAD MULTIPLE MARKS ON HER FACE CONSISTENT WITH A STRUGGLE. THE APARTMENT WAS IN A DISARRAY AND WERE SIGNS OF A STRUGGLE INSIDE THE APARTMENT. MS. M [REDACTED] SAID HER AND HUSBAND WHO SHE IDENTIFIED AS BRIAN ZIRPEL BEGAN ARGUING OVER MONEY. MS. M [REDACTED] SAID MR. ZIRPEL WAS WANTING MONEY TO GO BUY DRUGS. MS. M [REDACTED] SAID DURING THE ARGUMENT MR. ZIRPEL KICKED HER TURTLE ACROSS THE LIVING AND SAID HE WAS GOING TO KILL HER TURTLE.

MS. M [REDACTED] SAID WHEN SHE WENT TO PICK UP HER TURTLE MR. ZIRPEL KICKED HER IN HER THROAT. MS. M [REDACTED] SAID SHE WENT TO OPEN THE DOOR TO LEAVE AND MR. ZIRPEL GRABBED HER BY HER HAIR AND WRAPPED HIS ARMS AROUND HER NECK AND BEGAN CHOKING HER. MS. M [REDACTED] SAID MR. ZIRPEL TOOK HER TO THE GROUND AND PLACED HIS HANDS OVER HER LIPS AND NOSE TO KEEP HER FROM SCREAMING. MS. M [REDACTED] SAID SHE PASSED OUT FROM MR. ZIRPEL CHOKING HER. MS. M [REDACTED] SAID SHE WOKE UP AND A UNKNOWN MALE SUBJECT ENTERED THE APARTMENT AND BEGAN FIGHTING WITH MR. ZIRPEL. MS. M [REDACTED] MR. ZIRPEL SAID BOTH MR. ZIRPEL LEFT THE AREA IN A UNKNOWN LOCATION.

ASSISTING OFFICERS BEGAN SEARCHING THE AREA FOR MR. ZIRPEL AT THIS TIME. ASSISTING OFFICERS WERE ABLE TO LOCATE MR. ZIRPEL HIDING IN SOME TREES NORTH EAST OF THE APARTMENT COMPLEX. I MADE CONTACT WITH MR. ZIRPEL AT THIS TIME AT THE SANTA FE POLICE DEPARTMENT. I READ MR. ZIRPEL HIS MIRANDA RIGHTS AND HE AGREED TO SPEAK TO ME. MR. ZIRPEL SAID HE AND MS. M [REDACTED] HAVE BEEN ARGUING AND WAS ASKING FOR MONEY FOR "STUFF". I ASKED MR. ZIRPEL WHAT HE WAS ASKING FOR AND HE PAUSED AND SAID HE WANTED MONEY FOR SOME WEED. MR. ZIRPEL SAID THE ARGUMENT CONTINUED BECAUSE HE DID NOT FEED THE TURTLE IN THE APARTMENT. MR. ZIRPEL SAID MS. M [REDACTED] WAS GOING TO LEAVE THE APARTMENT AND WRAPPED HIS ARMS AROUND HER.

MR. ZIRPEL SAID WHEN HE HAD MS. M [REDACTED] ON THE GROUND HE PLACED HIS HANDS OVER HER MOUTH BECAUSE SHE WAS SCREAMING. MR. ZIRPEL SAID AS HE WAS HOLDING HER DOWN HE WAS GOING THROUGH HER BRAW AREA LOOKING FOR MONEY. MR. ZIRPEL SAID

MS. M. WAS SCREAMING AND A UNKNOWN MALE SUBJECT OPENED THE DOOR AND BEGAN ATTACKING HIM. MR. ZIRPEL SAID THE MALE SUBJECT LEFT THE AREA AND HE DECIDED TO LEAVE TO COOL OFF.

MR. ZIRPEL WAS PLACED UNDER ARREST WITH HIS HANDS BEHIND HIS BACK, DOUBLE LOCKED WITH PROPER FINGER SPACING BETWEEN THE HANDCUFFS AND WRIST. MR. ZIRPEL WAS TRANSPORTED TO THE SANTA FE COUNTY ADULT DETENTION CENTER WHERE HE WAS BOOKED.

THIS ARREST IS IN WHOLE OR IN PART PREMISED UPON PROBABLE CAUSE TO BELIEVE THAT (BRIAN ZIRPEL) COMMITTED DOMESTIC ABUSE AGAINST (P. M.), A HOUSE HOLD MEMBER. THE ARREST WAS REASONABLY NECESSARY TO PROTECT THE VICTIM FROM FURTHER DOMESTIC ABUSE.

OFFICER JERADE NIX  
SANTA FE POLICE DEPARTMENT

I SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT THE FACTS SET FORTH ABOVE ARE TRUE TO THE BEST OF MY INFORMATION AND BELIEF. I UNDERSTAND THAT IT IS A CRIMINAL OFFENSE, SUBJECT TO THE PENALTY OF IMPRISONMENT TO MAKE FALSE STATEMENT IN A CRIMINAL COMPLAINT.

Complainant *[Signature]*  
Name NIX, JERADE  
Title(if any) 7823  
Agency(if any) SANTA FE POLICE DEPARTMENT

This complaint may not be filed without the prior payment of a filing fee, unless approved by the District Attorney or a law enforcement officer authorized to serve an Arrest or Search Warrant. Approval of the district attorney or a law enforcement officer is not otherwise required.

Approved \_\_\_\_\_

DISTRICT ATTORNEY OR LAW ENFORCEMENT OFFICER

[As amended, approved by the Supreme Court of New Mexico, effective September 1, 1990; April 1, 1991; November 1, 1991.]

**If Probable Cause Determination required:**

- ☒ Probable Cause Found
- ☐ Probable Cause Not Found, and Defendant Released from Custody

Judge \_\_\_\_\_

NOV 20 2020

Date \_\_\_\_\_

0600

Time \_\_\_\_\_

[As amended, effective September 1, 1990; April 1, 1991; November 1, 1991; as amended by Supreme Court Order No. 13-8300-020, effective for all cases pending or filed on or after December 31, 2013.]